

**REMARKS**

This responds to the Office Action mailed on November 28, 2005, and the references cited therewith.

**Double Patenting Rejection**

Claims 1-3, 5-10, 12, 13, 15-18, 33 and 34 were rejected under the judicially created doctrine obviousness-type double patenting as being unpatentable over claims 1 and claims 1-27 of U.S. Patent No. 5,800,832 and 6,159,498 respectively.

However, a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(b)(iv) is enclosed herewith to obviate these rejections.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/069,703

Filing Date: April 29, 1998

Title: Pharmaceutical Carrier Device Suitable for Delivery of Pharmaceutical Compounds to Mucosal Surfaces

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Dkt: 1195.335US1



CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and confirmation to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6939 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date April 4, 2006

By A. James Nelson  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of April, 2006.

Dawn M. Poole

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Name

Signature